

MEMORANDUM OF SUPPORT

PROTECT DV SURVIVORS FROM STALKING AND HARASSMENT BY REMOTE VEHICLE TECHNOLOGY

A.9616 Rosenthal/S.9174 Gounardes

The New York State Coalition Against Domestic Violence (NYSCADV) urges the New York State Legislature to pass this legislation, which seeks to protect survivors of domestic violence from stalking and harassment when the person who has caused them harm has access to their vehicle's remote technology.

Research¹ shows that 1 in 3 women and 1 in 6 men have been stalked at some point in their lives. Stalking not only gives a perpetrator information and access to a victim, it also causes fear, anxiety, and occasionally PTSD. As technology advances, abusers take advantage of it and modify the tactics they use to stalk their victims. Most recently, survivors of domestic violence report abusers are stalking them via car tracking apps which can monitor a vehicle's whereabouts and expose a victim's location. In one case highlighted in a recent NYT article,² a woman with a protection order contacted the car dealership numerous times to have her abuser's access to the car app removed, but the car dealership refused. He used the tracking feature to locate her new residence. This is becoming more and more common for DV survivors.

The exposure of a victim's location can endanger the victim's family members, friends, and those they turn to for support. These locations may not have armed guards or security outside. For example, if an abuser uses remote vehicle technology to locate a domestic violence shelter where the victim may be located, staff working at the organization and other residents may be exposed to harm in addition to the abuser's intended victim.

It is imperative that a DV survivor has the ability to remove another party's access to the vehicle navigation system and associated apps from their vehicle if needed for their safety and the safety of their family members and friends. As such, A9616 would require car dealers and manufacturers to, within two business days, accommodate such requests. Requiring manufacturers and car dealers to respond to this reasonable request will help to ensure victims of domestic violence can live free from fear.

NYSCADV supports the passage of this bill which would amend the general business law to:

- Create a process whereby DV survivors can ask vehicle manufacturers and car dealers to terminate an abuser's access to remote technology, after proving they have legal possession of the vehicle and a valid order of protection;
- Require car manufacturers and dealers to terminate the abuser's access no more than two days after receiving a request from a DV victim;
- Ensure car manufacturers and dealers provide such service free of charge for DV survivors;
- Require car manufacturers and dealers to provide information on their websites about this accommodation; and
- Ensure trauma-informed staff receive and respond to such requests.

¹ National Intimate Partner and Sexual Violence Survey, 2016/2017 Report on Stalking, CDC National Center for Injury Prevention and Control.

² Kashmir Hill, "Your Car Is Tracking You. Abusive Partner May Be, Too.", *New York Times*, 31 Dec. 2023.

As technology advances, we must respond accordingly to enhance the safety of DV survivors and their family members. This legislation is critical to help protect DV victims from stalking and harassment via remote vehicle technology.

ABOUT NYSCADV:

Established in 1978, NYSCADV is designated by the U.S. Department of Health and Human Services as the information clearinghouse, primary point of contact, and resource center on domestic violence for the State of New York. NYSCADV is responsible for supporting the development of policies, protocol, and procedures to enhance domestic violence intervention and prevention and also provides education and technical assistance to the network of primary-purpose domestic violence service providers statewide.

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